

March 13, 2020

Veronica Jordan, Esq.
Executive Vice President and General Counsel
Simon & Shuster
1230 Avenue of the Americas
New York, New York 10020

Dear General Counsel Jordan:

I am writing on behalf of my client, Professor Stefan Halper, to give notice to Simon & Shuster that it has defamed the Professor, and to demand that it cease and desist from doing so and issue a public, written retraction of the defamation. Specifically, I refer to the marketing material published on the Simon & Shuster website (www.simonandshuster.com/books/The-Spider/Svetlana-Lokhova/9781642935981) for the soon-to-be-published book of Svetlana Lokhova entitled: *The Spider: Stefan A. Halper and the Dark Web of a Coup*. The marketing material contains numerous false and defamatory statements about Professor Halper, and promises that the book, to be distributed by Simon & Schuster, will contain additional, similar defamatory statements.

Professor Halper holds PhDs from Oxford University (1971) and Magdalene College, Cambridge University (2004), and was a senior fellow at Cambridge University from 2000 to 2016 where he was elected a life fellow. His distinguished work in the area of political science and international affairs has been published by Oxford University Press, Cambridge University Press, Hachette Publishing and Basic Books. Nothing he has done in his professional and academic career warrants the vile attacks contained in the marketing materials, which are promised for future publication in Ms. Lokhova's book. Your marketing material indicates that his offense, apparently, is that he has been publicly identified as having participated on behalf of the FBI in counter-intelligence operations directed towards some of the most dangerous conduct by Russia directed at elections in the United States.

No one can be blind to the fact that we now live in an age in which vile personal attacks against individuals engaged in public service have become the

norm. We are shocked, however, to see a publishing house with the distinguished history and reputation of Simon & Schuster market such disparagement.

Make no mistake. The marketing materials on your web site have caused, and will continue to cause, Professor Halper personal disgrace, reputational harm, and risk to the personal safety of himself and his family. I trust, however, that upon further review, you will take appropriate steps to mitigate the harm that Simon & Schuster has already caused and limit the damage that would follow from the publication of Ms. Lokhova's book.

In particular, the marketing material falsely states that Professor Halper is a "spy, an evil spider at work within and around the Trump campaign." The material falsely states that Professor Halper earned "a huge payday from a contract" signed by James Baker of the Defense Department, and falsely insinuates that this contract was for work as a "spider" and spy within and around the Trump campaign. The marketing materials falsely claim that, in his alleged spider spy capacity, Professor Halper "initially targeted the important Trump advisor, Lt. General Michael Flynn."

The false statements continue with the assertion that "[d]uring the 2016 Trump campaign, Professor Halper—the spy also known as the 'Spider'—schemed, lied, and ensnared members of the Trump team into his web, including the future president." As Svetlana Lokhova knows full well, neither General Flynn nor President Trump was the subject of any scheme, lie, target, or "web" by Professor Halper. Ms. Lokhova previously made such claims against Professor Halper in a \$25 million federal lawsuit in the United States District Court for the Eastern District of Virginia (*Lokhova v. Halper, et al.* No. 1:19-cv-632 (LMB/JFA), which was dismissed with prejudice by a federal trial judge on numerous grounds, including the failure of Ms. Lokhova and her counsel to plead facts to support her claims against Professor Halper, and for making baseless claims for defamation. *Id.* (Docket Entry 90). This federal judgment places you on notice that Ms. Lokhova has previously failed to plead or to prove in a court of law the very same allegations for which she is now using Simon & Shuster to continue to defame Professor Halper.

Your marketing material also falsely asserts that Professor Halper "fabricated and sustained the fantastical narrative of the Russian hoax," and that he did so by "collaborat[ing] with the intelligence establishment to take the 'kill shot on Flynn,' leaking classified information to his associates in the press." Shooting

people and leaking classified information is a crime, and are totally false statements when directed at Professor Halper, as your marketing material unambiguously does. Falsely claiming that Professor Halper manufactured fabricated and fantastical narratives is also defamatory.

Simon & Schuster's publication of such malicious defamation about Professor Halper has and will continue to damage to his reputation in this country and abroad. These damages are not limited to financial injuries. The false statements of Ms. Lokhova have been used to foment hatred and threats against the Professor and his family, including death threats. Simon & Schuster's distribution, publication, and republication of such inciteful false statements by Ms. Lokhova pose a direct threat to the safety of Professor Halper and his family, for which it will be held responsible.

Because it may be relevant to your liability, versus that of the author, I am hereby asking you to put a litigation hold on:

- All documents, files, or communications, whether digital or paper, relating to the aforementioned marketing material or to the publication of the book it markets;
- All documents, files, or communications, whether digital or paper, relating to the factual allegations made by Svetlana Lokhova made in her Amended Complaint (Docket Entry 52) in *Lokhova v. Halper, et al.* No. 1:19-cv-632 (LMB/JFA);
- All documents, files, or communications, whether digital or paper, relating to Professor Halper, Svetlana Lokhova, General Michael Flynn, Department of Defense contracts with Professor Halper;
- All documents, files, or communications, whether digital or paper, relating to Steven Biss, Barbara Ledeen, Michael Ledeen, Charles Ross, Devin Nunes, Derek Harvey, or Margot Cleveland;
- All documents, files, or communications, whether digital or paper, relating to any communication with or about an American intelligence representative;
- All documents, files, or communications, whether digital or paper, relating to any communication with or about a Russian intelligence representative, and,

- All documents, files or communications, whether digital or paper, relating to any communication with or about a journalist and Ms. Lokhova.

Please also advise me within two weeks how you propose to proceed. We expect that Simon & Schuster will immediately cease to publish the defamatory statements on its website and agree to discuss an appropriate retraction, apology, and settlement.

Yours truly,

A handwritten signature in dark ink, appearing to read "Terrance G. Reed". The signature is fluid and cursive, with the first name "Terrance" being more prominent.

Terrance G. Reed
Counsel for Stefan Halper